

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jean-Claude CHERMANN et al.

Title: VACCINE AGAINST INFECTIOUS AGENTS HAVING
AN INTRACELLULAR PHASE, COMPOSITION FOR
THE TREATMENT AND PREVENTION OF HIV
INFECTIONS, ANTIBODIES AND METHOD OF
DIAGNOSIS

Appl. No.: 09/827,345

Appl. Filing Date: April 6, 2001

Examiner: M. G. Hill

Art Unit: 1648

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

[X] Please enter and consider the amendment/reply previously filed on April 14, 2004, a courtesy copy of which is provided for the Examiner's convenience.

[X] Please consider the Information Disclosure Statement previously filed on April 14, 2004, a courtesy copy of which is provided for the Examiner's convenience.

☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on ____.

☐ Other ____.

b. Enclosed are:

☐ Amendment/Reply.

☐ Affidavit(s)/Declaration(s).

☒ Information Disclosure Statement.

☐ Form PTO-1449 with copies of ____ listed reference(s).

☐ Other .

Miscellaneous:

☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ____ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$770.00	= \$770.00
Total Claims:	5	- 25	= 0	x \$18.00	= \$0.00
Independents	2	- 3	= 0	x \$86.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$290.00	= \$0.00
CLAIMS FEE TOTAL:					= \$770.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	0	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$420.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$950.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,480.00		\$0.00
<input checked="" type="checkbox"/>	Extension for response filed within the fifth month:	\$2,010.00		\$2,010.00
EXTENSION FEE SUBTOTAL:				\$2,010.00
EXTENSION FEE ALREADY PAID: -				\$1,480.00
EXTENSION FEE TOTAL				\$530.00
CLAIMS AND EXTENSION FEE TOTAL:				\$1300.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):			\$0.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:				\$1300.00

☐ Please charge Deposit Account No. 19-0741 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.

☒ A check in the amount of \$1300.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

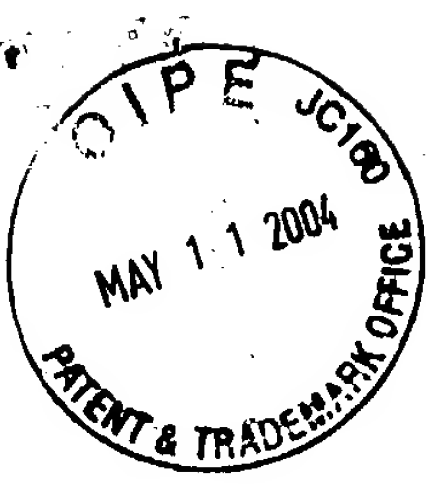
Date May 11, 2004

FOLEY & LARDNER LLP
Customer Number: 23533
Telephone: (202) 672-5569
Facsimile: (202) 672-5399

By 

for Amy M. Rocklin
Stephen B. Maebius
Attorney for Applicant
Registration No. 35,264

Amy M. Rocklin
Attorney for Applicant
Registration No. 47,033



COPY

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jean-Claude CHERMANN et al.

Title: VACCINE AGAINST INFECTIOUS AGENTS HAVING AN
INTRACELLULAR PHASE, COMPOSITION FOR THE
TREATMENT AND PREVENTION OF HIV INFECTIONS,
ANTIBODIES AND METHOD OF DIAGNOSIS

Appl. No.: 09/827,345

Filing Date: April 6, 2001

Examiner: M. G. Hill

Art Unit: 1648

AMENDMENT AND REPLY UNDER 37 CFR 1.116

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This communication is responsive to the Office Action dated July 14, 2003,
concerning the above-referenced patent application.

A Notice of Appeal was filed on October 14, 2003. Applicants enclose with this
amendment a four-month Petition for Extension of Time to make this response timely.

Amendments to the Claims are reflected in the listing of claims which begins on
page 2 of this document.

Remarks/Arguments begin on page 3 of this document.

Please amend the application as follows: